

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number: 25-064

Record Number: PLN-2024-18884

Assessor's Parcel Number: 312-071-050

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Heavenly Rooted Special Permit for a Short-term Rental.

WHEREAS, Heavenly Rooted Estate LLC submitted an application for a Short Term Rental Permit; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments, and recommendations; and

WHEREAS, the Planning Division as the Lead Agency has determined that the project qualifies for categorical exemptions found in Sections 15301 (Existing Facilities) of the CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the Special Permit for a Short-term Rental); and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on October 2, 2025, and reviewed, considered, and discussed the application for the Special Permit for a Short-term Rental, and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

FINDINGS FOR SPECIAL PERMIT

1. FINDING: A Special Permit for a short-term rental located in an Agricultural General zone on a parcel between 2.5 and 10 acres not operated as a farm-stay, and a Special Permit to exceed the Neighborhood Concentration 20% density limit for short-term rentals on an access road. The parcel is approximately 4 acres in size and is currently developed with a single-family residence, accessory structures, and recreational areas such as a basketball court and bocce ball court. A maximum occupancy of 14 is proposed for gatherings. The parcel is served with on-site water and an on-site wastewater treatment system, and power is supplied by PG&E.

EVIDENCE: a) Project File: PLN-2024-18884

2. FINDING: CEQA: The requirements of the California Environmental Quality Act have been met.

EVIDENCE:

- a) The proposed project is for a Special Permit to operate a Short-term Rental within an existing permitted residential structure and is exempt from further environmental review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.
- b) The proposed project is consistent with the development density established by the existing zoning, community plan and general plan policies.
- c) There is no evidence that the proposed project will include any development actions that would have a significant effect on the environment.

3. FINDING: The proposed project is in conformance with all applicable policies and standards in the General Plan.

EVIDENCE:

- a) The property was not included in the 2019 Housing Element and use of the property as a short-term rental would not remove housing nor have negative impacts to the Housing Element.
- b) The project site is moderately stable, is not located in the Alquist Priolo fault hazard zone, is not located in a FEMA 100-year flood zone, is not located in a tsunami hazard zone nor susceptible to coastal inundation related to sea level rise (1 meter).

The project site is in an area of moderate fire hazard severity, and within the Cal Fire State Responsibility Area.

There is no evidence to suggest that the use of the residence as a short-term rental will introduce any hazards to the occupants, nor present any conditions that will be detrimental to public health, safety or welfare, nor create conditions inconsistent with neighboring uses or negative to property values.

- c) The project was referred to NWIC, Blue Lake Rancheria, Bear River Band, and the Wiyot Tribe. Inadvertent archaeological discovery protocols were recommended for any ground-disturbing activities that may take place in the future and are conditioned in Attachment 1A.
- d) There are no wetlands, special-status species, or coastal natural resources on the project site as depicted on the County's natural resources GIS database, nor any natural features of concern or that might be at risk from operation of a short-term rental.

4. FINDING: The project is consistent with the purposes of the existing zone in which it is located.

EVIDENCE: a) The property is split zoned Unclassified (U) and Agriculture General (AG). Residential uses are principally allowed uses within the U and AG zone district. Short-term rentals are allowed in U and AG zone districts per the Short Term rental Ordinance (314-60).

5. FINDING: The project conforms with all applicable development standards and requirements of these regulations.

EVIDENCE:

- a) The subject parcel has been determined to be one legal parcel with an existing single-family residence, a principally permitted use, and conforming with all applicable setbacks and density requirements, and with no active violations on the parcel.
- b) The proposed project will not exceed the Short-Term Rental Cap of 2% of the overall housing stock in the Greater Humboldt Bay Area.
- c) Per the included Good Neighbor Guide, fire extinguishers, smoke detectors and carbon monoxide detectors will be maintained in working order, and solid waste, recycling, and compost will be appropriately disposed of routinely.

- d) A signed affidavit certifying the delivery of a Good Neighbor Guide was included with the Special Permit Application.
- e) Parcels zoned AG require short term rentals to operate as a farm stay. Exceptions from these standards can be granted through a Special Permit. There are no commercial agricultural operations on the property or in the neighborhood. The properties on Hilltop Lane are designated as Residential Estates (RE) in the Humboldt County General Plan, which does allow for general agricultural uses; however, the RE land use designation is used for lands adjacent to urban areas and is intended as a transition from urban development to rural lands. Additionally, lands adjacent to the property on the north and west are designated Residential Low Density (RL). The RL land use designation does not allow general agriculture as an allowed use. Due to the lack of commercial agricultural operations in the vicinity, the designation of the properties in the neighborhood as transitional from rural to urban development, and abutting lands that do not allow general agriculture, excepting this short-term rental from farms stay requirements is not anticipated to conflict with, or otherwise have any quantifiable impact on, agricultural working lands.
- f) Humboldt County Code states that short term rentals shall not exceed twenty percent (20%) of the dwellings on the access road. Approval of this project would exceed this limit. Exceptions from these standards can be granted through a Special Permit. Approval of the proposed short-term rental would result in short term rentals accounting for approximately 22% of dwellings on the access road, however the property has historically been utilized for short term use and would represent an approximately 2% increase beyond the allowed density. A 2% increase beyond the allowed density is not anticipated to have impact on neighborhood character.
- g) Private gatherings are proposed within allowable limits.
- h) The proposal will maintain three rooms for rent with a maximum overnight occupancy of six people; Parking is provided in multiple locations including adjacent to the residence, two locations along the driveway, and adjacent to the basketball court, maintaining compliance with the STR ordinance.

- i) Applicant will only be operating this one Short-term rental in the County (and on this parcel).

6. FINDING: The Special Permit for a Short-term Rental will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

- EVIDENCE:**
- a) The parcel is currently developed with an existing single-family residence and appurtenant structures. The proposed Short-term Rental will remain consistent with the use and character of the surrounding parcels.
 - b) All reviewing referral agencies have approved or conditionally approved the proposed development, with conditions listed in Attachment 1A.
 - c) While the existing short-term rental has generated noise and lighting complaints that have been detrimental to the public welfare, this was primarily in association with the unpermitted special event venue associated with the STR. The applicant has since abandoned permitting the property as a special event venue. Conditions for the STR include removal of the outdoor speaker system, timed locks on the sports court, and ensuring the control panel for sports court lighting is inaccessible to guests. As conditioned, the project would be operated in a manner that is consistent with the public welfare.

7. FINDING: The proposed project will not reduce the residential density of this parcel or the surrounding area.

- EVIDENCE:**
- a) The parcel is not included in the 2019 adopted Housing Element Inventory.
 - b) The project is proposing a Short-term Rental use for an existing residence which will have no effect on the County Housing Inventory.
 - c) No residential development is proposed to facilitate this project, and the project is consistent with the County's Housing Element.

Decision

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Approve the Heavenly Rooted Special Permit for a Short-term Rental, subject to the conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on **October 2, 2025**.

The motion was made by COMMISSIONER THOMAS MULDER and seconded by COMMISSIONER LORNA MCFARLANE and the following vote:

AYES: Commissioners: Thomas Mulder, Lorna McFarlane, Iver Skavdal,

NOES: Commissioners: Peggy O'Neill

ABSTAIN: Commissioners:

ABSENT: Commissioners: Jerome Qiriazzi, Sarah West, Noah Levy

DECISION: Motion carried 3/1

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.



John H. Ford, Director
Planning and Building Department

CONDITIONS OF APPROVAL
PLN-2024-18884

Approval of the Special Permits are conditioned upon the following terms and requirements which must be fulfilled as specified below:

1. All parking shall occur as described on the operations plan and site plan. No on-street parking is permitted.
2. All Short-Term Rental Permits (including nonconforming approvals) shall lapse two years after the effective date of the permit unless all the following requirements are met:
 - a. The permit holder shall submit a statement of continued operation as provided by the Planning and Building Department, indicating a desire to continue operation; provided, that there is evidence of hosting stays; and
 - b. There are no outstanding violations associated with the permit; and
 - c. The permit holder shall submit evidence showing that no outstanding taxes are associated with the subject parcel; and
 - d. A fee which allows for review of the materials and investigation of any complaints and violations as established in the County Fee Schedule.
3. Short-Term Rental Permits shall not be transferred between property owners.
4. An individual or business shall not own more than three parcels with Short-term Rental permits.
5. Fire extinguishers, smoke detectors and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside the short-term rental.
6. Trash, recycled materials, and organic compost shall be appropriately disposed of at least weekly.
7. Overnight occupancy of the unit shall not exceed 7 persons, per the Good Neighbor Guide.
8. Following one or more noise complaint(s), the permit holder shall install noise sensor and provide recorded data to the Planning and Building Department upon request.
9. Private gatherings/parties shall not exceed 14 persons as described in the operations plan.

10. The applicant shall remove or otherwise render inoperable the outdoor speaker system.
11. The applicant shall install a timed gate lock on the basketball/tennis court to limit access to daylight hours. Alternatively, the applicant may install a timed gate lock to limit access to between 8:00 am and 5:00 pm.
12. The applicant shall ensure the controls for the outdoor sports court lighting system are inaccessible to guests and that the court lighting shall not be utilized after dark. The lights shall be behind a lock box or similar security device.
13. The applicant shall install signs on the property in conspicuous locations listing the noise limits, quiet hours, sports court hours and lighting restrictions, and informing guests accessing the controls to the sports court lighting system is not permitted.
14. Prior to operation of the short-term rental an onsite inspection shall be conducted to verify conditions 10-13 have been completed to the satisfaction of the County.
15. All lighting on the property shall comply with the Humboldt County Lighting Ordinance and the switch for the lights shall be put in a locked box so it cannot be used by guests..
16. The applicant shall include rules in the rental contract to notify guests that no amplified music and no PA use is allowed.
17. The contact phone number for the house manager shall be listed on the Good Neighbor Guide and provided to all neighbors who have submitted written comments or signed the petition against the previous proposed event venue.

Informational Notes:

1. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
2. This permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The periods within which construction or use must be commenced may be extended as provided by Section 312-10.5 of the Humboldt County Code.
3. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the

application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

4. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant is ultimately responsible for ensuring compliance with this condition.



Property Owners
Danielle & Eric Weems
Cell 707-672-3007
95 Hilltop Ln
McKinleyville CA 95519
APN 312-071-050-000
4.02 acre lot



VENUE INFORMATION

Our goal is to offer our property as a venue for any celebration big or small. We will be utilizing approx 3 of our 4.02 acre lot. The property is zoned Agricultural/Residential. We are located close to 299 and right off of Glendale.

We originally bought this as our forever home, we lived there for 8 years and recently relocated.

*We are owner operated with no employees. We hope to add our property as a place for our community to utilize and add revenue to local businesses and vendors.

The home is 2300 sq ft with lots of space indoor and out. Off of the family room area there is a large cement patio. Off the cement patio is a grassy area to enjoy the valley view. Close by there is a large shed and behind that is the trash shed. The trash shed faces the basketball court. To the left on the side and behind the court is parking. There are plenty parking spots in that area. Walking down the hill there is a small turf area used for corn hole. Next to that is a grassy area. On the other side of the road is our bocce ball court. On the other side of the house is a separate driveway and 5 more parking spots.

Our kitchen has a large granite island and our back counters are stainless steel.

In our rainiest seasons we have never had a flood or a build up of water

Rules and expectations for our guest gatherings

*Max Capacity 14 people

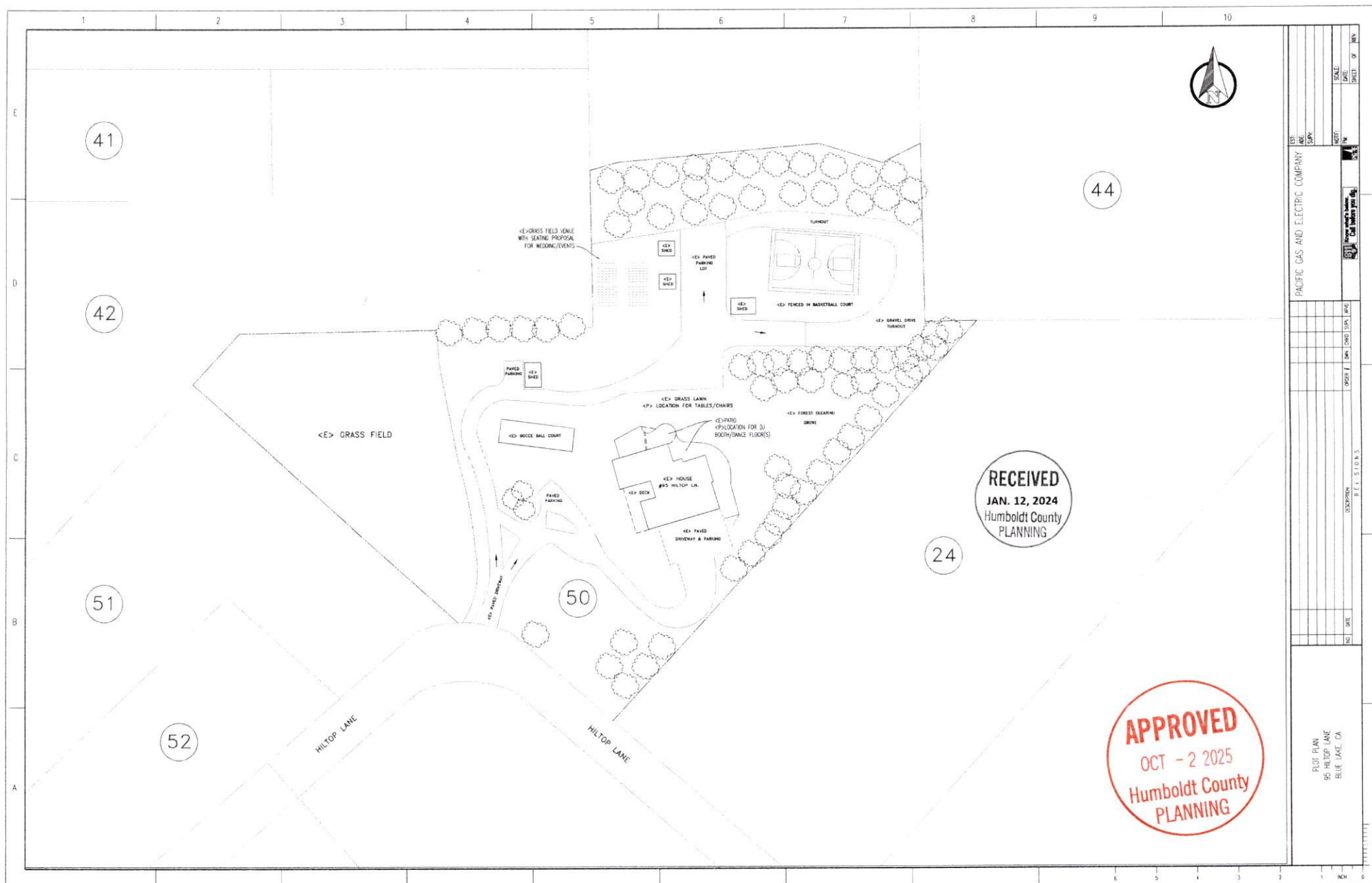
*Music must be turned off at 10pm and at a respectable volume until 10pm. In the case they do not comply they will be asked to leave.

*10 cars may be parked at the house.

*Check in for set up is 3pm

*Check out is 11am

*We have a local guy Kid Thompson that picks up the trash the day of or day after checkout. We dispose of it at Humboldt sanitation. There is a Trash Shed with 6 50 gallon trash bins on the property that locks to prevent wildlife from getting into it.

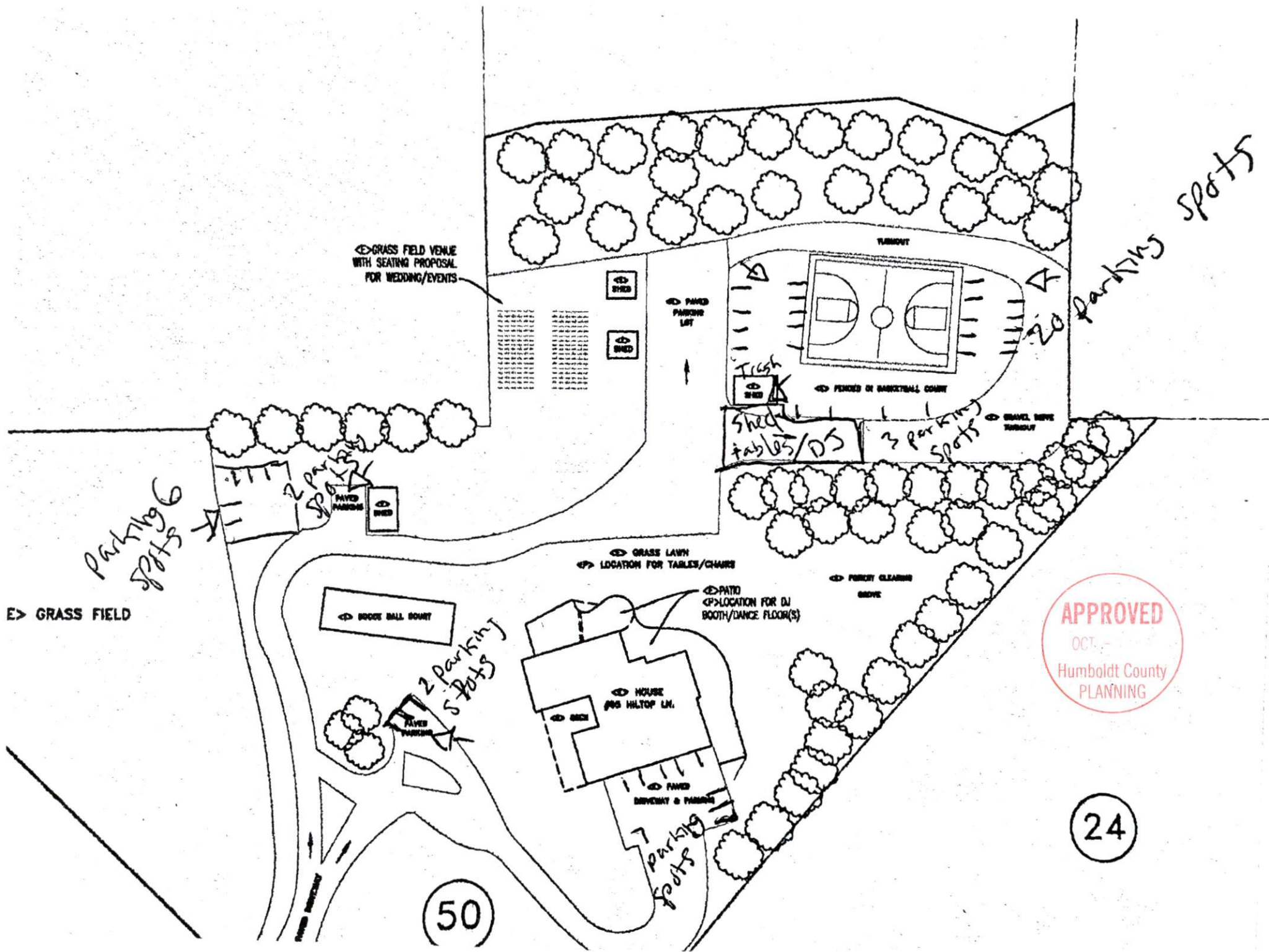


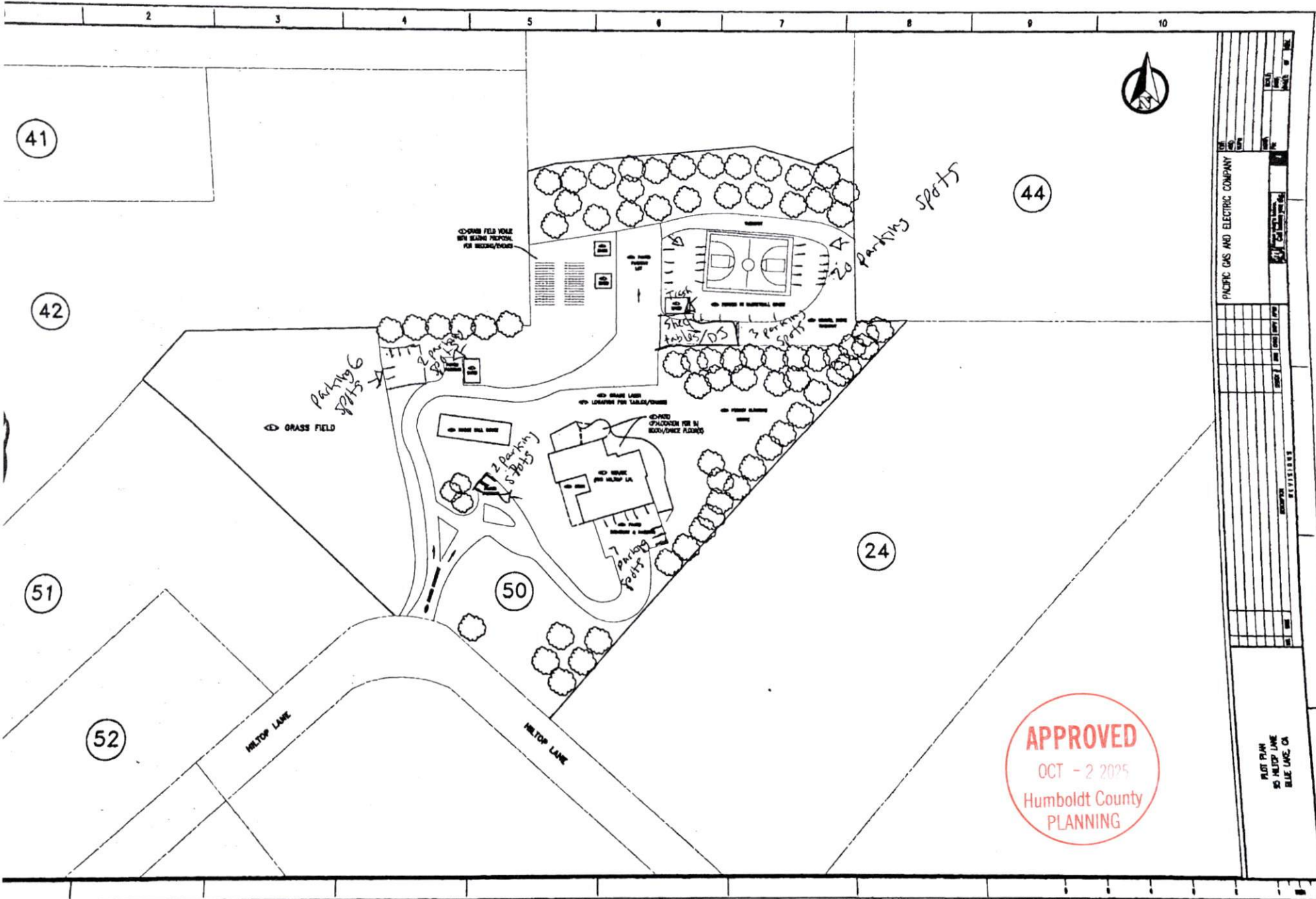
PACIFIC GAS AND ELECTRIC COMPANY

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41

42

51

52

50

44

24

Hilltop Lane

Hilltop Lane

Parking 6 spots

GRASS FIELD

GRASS FIELD YIELD
WITH SEEDING PROGRAM
FOR RECREATION

2 parking spots

7 parking spots

3 parking spots

20 parking spots

APPROVED
OCT - 2 2025
Humboldt County
PLANNING



PACIFIC GAS AND ELECTRIC COMPANY

PLAT PLAN
50 HILLTOP LANE
HILLTOP LANE, CA